

The Environmental Council of the States
2014 Fall Meeting

La Fonda on the Plaza, Santa Fe, New Mexico
September 15-17, 2014

Meeting Attendees

- 47 Member agencies are registered to attend
- No representation from the following states: KY, FL, PR, NJ, SD
- 3 tribal representatives
- 8 federal representatives from DOD, DOE, and Pacific NW National Laboratory
- 55 representatives from associations, academia, industry, and media, including:
 - InsideEPA
 - Association of State and Territorial Solid Waste Management Officials
 - Environmental Defense Fund
 - National Association of Clean Air Agencies
 - Edison Electric Institute
 - Duke Energy
 - Sam Houston State University
 - Alberta Environment and Sustainable Resource Development
 - Center for Climate and Energy Solutions
 - Occidental Petroleum Corporation
 - Stateside Associates
 - Natural Resources Defense Council
 - National Environmental Development Association's Clean Air Project
 - Waste Management
 - Hess Corporation
 - National Rural Electric Cooperative Association
 - American Gas Association
 - Walmart
 - America's Natural Gas Alliance
 - American Public Power Association
 - Kichline Consulting
 - American Coalition for Clean Coal Electricity
 - American Chemistry Council
 - Steptoe Johnson PLLC
 - New England Interstate Water Pollution Control Commission
 - TechLaw, Inc.
 - ExxonMobil Refining and Supply
 - American Water Works Association
 - Chrysler Group, LLC
 - Policy Navigation Group
 - International Council of Shopping Centers
 - Access Midstream
 - CGI Group, Inc.
 - Gade Environmental Group, LLC
 - Normandeau Associates
 - Eastern Research Group

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- Koley Jessen Law Firm
- BHP Billiton Petroleum
- The National Academies
- Ross Strategic
- Restoration Services, Inc./UCOR
- Quasar Energy Group
- 46 EPA participants, including:
 - Gina McCarthy
 - Lisa Feldt
 - Gwen Keyes Fleming
 - Curt Spalding, Region 1
 - Shawn Garvin, Region 3
 - Heather McTeer Toney, Region 4
 - Ann Heard, Region 4
 - Susan Hedman, Region 5
 - Bharat Mathur, Region 5
 - Ron Curry, Region 6
 - Sam Coleman, Region 6
 - Carl Edlund, Region 6
 - Karl Brooks, Region 7
 - Shaun McGrath, Region 8
 - Joan Card, Region 8
 - Jared Blumenfeld, Region 9
 - Avi Garbow, OGC
 - David Bloom, OCFO
 - Kathy O'Brien, OCFO
 - Andy Battin, OCFO
 - Cynthia Giles, OECA
 - Shari Wilson, OECA
 - Lisa Lund, OECA
 - David Hindin, OECA
 - Renee Wynn, OEI
 - Matt Leopard, OEI
 - Jane Nishida, OITA
 - JoAnn Chase, OITA
 - Ramona Trovato, ORD
 - Lisa Matthews, ORD
 - Janet McCabe, OAR
 - Betsy Shaw, OAR
 - Roger Fernandez, OAR
 - Ken Kopocis, OW
 - Mike Shapiro, OW
 - Ellen Gilinsky, OW
 - Mathy Stanislaus, OSWER
 - Nitin Natarajan, OSWER
 - Charlotte Bertrand, OSWER
 - Robin Richardson, OSWER
 - Jeff Kohn, OSWER
 - Oscar Morales, OCSPP
 - Joyce Frank, OCIR
 - Mark Rupp, OCIR
 - Mike Osinski, OCIR
 - Andrea Barbery, OCIR

Deputy Administrator Roles & Activities

- Monday 7:30 a.m. closed breakfast discussion with Natural Resources Secretaries
- Tuesday dinner with ECOS Officers (tentative)
- Wednesday 7:00 a.m. closed breakfast meeting on Hydraulic Fracturing
- Wednesday 9:00 a.m. session on E-Enterprise
- Wednesday PM – Thursday AM meeting of the E-Enterprise for the Environment Leadership Council

Agenda Summary: Issues & Speakers

SUNDAY, SEPTEMBER 14

- **[7:00 p.m.] Regional Carbon Markets 101+: A Primer and Discussion**
This informal session follows up on issues raised at the July ECOS State Environmental Protection meeting on EPA's proposed GHG guidelines under Clean Air Act 111(d) for existing power plants. ECOS members from states participating in regional carbon markets will cover the basics of such markets, examples of how to structure them, financial downsides and upsides, and lessons learned.
 - No EPA participants

MONDAY, SEPTEMBER 15 – PROBLEM SOLVING

- **[7:00 a.m.] CLOSED SESSION: The Environmental Research Institute of the States (ERIS) Board Meeting**
Open to ERIS Board members, ECOS members and their staff, and ECOS staff.
 - David Paylor (VA), ERIS President
 - Ramona Trovato, ORD
 - Lisa Matthews, ORD
- **[7:30 a.m.] CLOSED SESSION: Side Breakfast Discussion for Natural Resources Secretaries**
Open to all ECOS members, but particularly intended for those who also oversee natural resource agencies and authorities. Goal is to improve service to members with natural resource responsibilities. Questions for discussion include: What are Secretaries' top 2 concerns or issues? What can ECOS do to support NR Secretaries? Also for discussion: possibility of future gatherings of this group.
 - Justin Johnson (VT)
 - Lisa Feldt
 - Avi Garbow
- **[8:30 a.m.] Opening Plenary Session**
 - Call to Order – Dick Pedersen (OR), ECOS President
 - Opening Invocation and Welcome – Joshua Madalena, Governor of the Jemez Pueblo
 - Introduction of Officers and Self-Introduction of Members
 - Host State Welcome and Overview of Local Environmental Issues – Ryan Flynn (NM)
 - Announcements and Agenda Preview – Dick Pedersen (OR)
- **[9:00 a.m.] Hot Air: Regulatory Proposals, Court Decisions, and More**
Discussion by state and federal leaders of the proposed Clean Air Act 111(d) greenhouse gas emission guidelines and their implications, ozone transport, and recent court decisions resurrecting prior proposals and programs and delineating U.S. EPA authority.
 - Tracy Stone-Manning (MT), ECOS Air Committee Chair
 - Janet McCabe, OAR
 - Bryan Shaw (TX), ECOS Air Committee Vice Chair
 - Heather McTeer Toney, Region 4
- **[10:45 a.m.] Managing the Movement of Energy: Opportunities for Joint Problem Solving**
The session will explore regulatory challenges and opportunities presented by the expansion of U.S. crude oil production and the movement of other energy supplies around the nation. Discussion leaders will address permitting; spill preparedness; partnerships with local communities, tribes, first responders, federal agencies, and industries; jurisdiction; and chemical safety. Recent experiences raise critical questions about the role state and federal environmental regulators are playing, directly and indirectly, in charting our energy future. Session also includes for brief updates on U.S. EPA's Coal Combustion Residuals rulemaking.
 - David Glatt (ND), ECOS Waste Committee Chair
 - Maia Bellon (WA)
 - David Paylor (VA)
 - Patricia Aho (ME)
 - Nitin Natarajan, OSWER
 - Jay Ringenberg (NE), ECOS Waste Committee Vice Chair
 - Ryan Benefield (AR), ASTSWMO President
 - Mathy Stanislaus, OSWER
- **[11:45 a.m.] Lunch, with Keynote Presentation**

- Gina McCarthy, introduced by Dick Pedersen (OR), ECOS President
- **[1:00 p.m.] State-EPA Regional Panel: Working Together Toward Solutions**
Selected EPA Regions team with States to describe an example showing where a region and a state collaborated to solve a joint problem. Teams will describe Texas's workshare with R6 for GHG permitting, TMDL implementation in Hinkson Creek, MO, and collaboration between a state, a Region, and a tribe to reduce pollution and develop renewable energy.
 - Dick Pedersen (OR), ECOS President
 - Bryan Shaw (TX) & Ron Curry, Region 6
 - Sara Parker Pauley (MO) & Karl Brooks, Region 7
 - Coleen Cripps (NV) & Jared Blumenfeld, Region 9
- **[1:45 p.m.] CLOSED SESSION: State-EPA Roundtable**
An opportunity for states to candidly discuss topics of priority, including the FY15 and FY16 budgets, Title VI compliance, developing a network for state and EPA attorneys, and EJSCREEN.
 - Dick Pedersen (OR), ECOS President
 - David Bloom, OCFO
 - Shawn Garvin, Region 3
 - Teresa Marks (AR), ECOS Past President
 - Gwen Keyes Fleming
 - Bob Martineau (TN), ECOS Vice President
 - Martha Rudolph (CO), ECOS Secretary/Treasurer
 - Avi Garbow
 - Susan Hedman, Region 5
 - Shari Wilson, OECA
- **[3:00 p.m.] Exploring the Water-Energy Nexus**
States and federal agencies will present how they are water issues associated with energy production. Examples will include permitting, infrastructure siting, and CWA jurisdiction, wastewater management, water supply management, and balancing competing water uses. The session will also cover WOTUS and the related paper prepared for ECOS by the American College of Environmental Lawyers.
 - Coleen Cripps (NE), ECOS Water Committee Chair
 - Ken Kopocis, OW
 - Michael Teague (OK Secretary of Energy & Environment)
 - Diana Bauer, U.S. Department of Energy
 - Shaun McGrath, Region 8
- **[4:30 p.m.] ECOS Evening Event – Optional Nature Walk, followed by Cookout and Awards Dinner**
Open to all registered meeting attendees. Shuttles depart from La Fonda at 4:30 p.m. for the nature trails, and at 5:15 for the cookout. Dinner at 6:00 p.m. (cash bar open at 4:45 p.m.), followed by awards presentation at 7:00 p.m. Shuttles return to La Fonda at 7:30 p.m. and 8:10 p.m.

TUESDAY, SEPTEMBER 16 – PARTNERSHIPS

- **[7:00 a.m.] Breakfast Discussions of Eco-regional Air Issues**
Designated tables indicate regionally specific air topics, to cover issues such as ozone transport, regional haze, and 111(d).
 - Tracy Stone-Manning (MT), ECOS Air Committee Chair
 - EPA Regional Administrators & Deputy Regional Administrators
- **[7:00 a.m.] CLOSED SESSION: Side Discussion of ECOS and National Tribal Caucus Leadership**
Open to ECOS Officers, NTC leaders, and invited EPA representatives.

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- Dick Pedersen (OR), ECOS President
 - Gerald Wagner, National Tribal Caucus
 - Jane Nishida, OITA
 - JoAnn Chase, OITA
- **[8:00 a.m.] Opening Invocation and Welcome**
 - Michael Chavarria, Governor of the Santa Clara Pueblo, introduced by Dick Pedersen
- **[8:05 a.m.] Reducing Natural Gas Emissions in a City or Facility Near You: State and Federal Initiatives, EDF Multi-City Methane Projects, and AGA Guidelines**

Panelists will address a variety of activities geared toward reducing methane and VOC emissions from expanded shale gas development. Featured initiatives include recent Colorado, U.S. EPA, and U.S. DOE efforts, the Environmental Defense Fund and Google's new mapping project that shows natural gas methane leakage in U.S. cities, and American Gas Association guidelines for reducing emissions from distribution systems. Time will be allocated at the end of the session to begin scoping the ECOS Shale Gas Caucus compendium of best practices.

 - David Glatt (ND), ECOS Shale Gas Caucus Co-chair
 - Martha Rudolph (CO), ECOS Shale Gas Caucus Co-chair
 - Mary Gade, Environmental Defense Fund
 - Pam Lacey, American Gas Association
 - Roger Fernandez, OAR
 - Christopher Freitas, U.S. Department of Energy
 - Arleen O'Donnell, Eastern Research Group
- **[9:30 a.m.] Thinking Broadly about Sustainability**

This session will feature case studies that highlight the need for broad thinking across media as well as various levels of government and jurisdictional boundaries, and will generate discussion of how to promote this inter- and intra-agency interaction. Topics will include EPA's RE-Powering America's Land initiative, renewable power siting, the National Research Council's "Sustainability for the Nation" report, and the multi-state zero-emission vehicle (ZEV) initiative.

 - Justin Johnson, ECOS Cross-Media Committee Chair
 - Amanda Smith, ECOS Cross-Media Committee Co-chair
 - Mathy Stanislaus, OSWER
 - Lynn Scarlett, The Nature Conservancy
- **[11:00 a.m.] Partnering for Productive Land: Lessons Learned from the Transfer of Federal Facilities**

As the federal government footprint changes, federal facilities and land are transferred to state and local governments or private entities with the goal of getting the land back into productive use. This session will look at lessons learned from the cleanup and transfer of federal facilities that are applicable to the management of all remediated properties.

 - Shari Meghreblian (TN), ECOS Federal Facilities Forum Chair
 - Maureen Sullivan, U.S. Department of Defense
 - TBD, U.S. Department of Energy
 - Charlotte Bertrand, OSWER
 - Robin Richardson, OSWER
- **[12:15 p.m.] Lunch, featuring Discussion of Working Together to Enhance Compliance: State and Federal Perspectives**

A dialogue on how states and the federal government can better leverage their resources to promote compliance. Topics will include sector education programs, division of responsibilities, priority setting, and compliance alternatives. The role of technology in advancing compliance will be addressed, as will

the topic of improving compliance measures to present a clearer picture to the public of the state of compliance nationally.

- Teresa Marks (AR), ECOS Past President
- Tom Easterly (IN), ECOS Compliance Committee Chair
- Cynthia Giles, OECA
- **[1:30 p.m.] ECOS-EPA Group Photo**
Group shot intended to capture the “Environmental Enterprise”
 - ECOS Members
 - EPA Administrators (including Deputy, Regional, Assistant, and Associate)
- **[2:00 p.m.] Changing Expectations, Opportunities for Flexibility: It Is All in the Weeds**
ECOS has testified before Congress about the importance to states of flexibility with federal dollars that support implementation of delegated environmental programs. What does this really mean? How have and can states and EPA work together to achieve tangible differences that result in focus on high environmental priorities and end time-consuming practices? Discussion will include reflections on specific activities that result in incremental gains – in the weeds day-to-day savings that can add up – and a look at larger state-EPA processes that may yield broader, wholesale changes.
 - Pattie Aho (ME), ECOS Planning Committee Chair
 - Bill Ehm (IA), ECOS Planning Committee Vice Chair, & Karl Brooks, Region 7
 - Valerie Thompson (VA), & Ellen Gilinsky, OW
 - Gary Baughman (CO)
 - Tom Lamberson (NE)
- **[3:45 p.m.] Using Research to Tackle Nutrient Challenges**
Nutrient pollution is a widespread and costly environmental challenge impacting streams, rivers, lakes, bays, and coastal waters. Nutrients pose serious environmental, human health, and economic consequences. This discussion will focus on recent and ongoing research by states and the federal government to address nitrogen and phosphorus impacts on water quality.
 - David Paylor (VA), ERIS President
 - Craig Butler (OH)
 - Ramona Trovato, ORD
 - TBD (MS) – invited
 - Sara Parker Pauley (MO)

WEDNESDAY, SEPTEMBER 17 – PRODUCTIVITY

- **[7:00 a.m.] CLOSED SESSION: State-EPA Breakfast Meeting on Hydraulic Fracturing**
Open to states, EPA, and invited guests. Discussion will center on state and EPA experiences addressing hydraulic fracturing.
 - Lisa Feldt
 - Ramona Trovato, ORD
 - Ellen Gilinsky
- **[8:00 a.m.] Second Plenary Session**
 - Call to Order – Dick Pedersen (OR), ECOS President
 - Resolutions Discussion and Voting – Dick Pedersen (OR), ECOS President
 - Preview of New and Sunsetting Resolutions for the 2015 Spring Meeting -- Dick Pedersen (OR), and ECOS Committee Chairs

- **[9:00 a.m.] Boosting Productivity through E-Enterprise and the Exchange Network**
Discussion will focus on the near and longer term and how to achieve goals, meet customers' needs for a streamlined and more productive interaction with regulators, and allow states and EPA greater analytic capabilities from existing data. Discussion time will include reflections on lessons learned from state and national level conversations with industry, non-governmental organizations, state legislatures, and members of Congress.
 - Tom Burack (NH), State EELC Co-Chair
 - Lisa Feldt, EPA EELC Co-Chair
 - Andy Putnam (CO), State ENLC Co-Chair
 - Matt Leopard, EPA ENLC Co-Chair
 - Curt Spalding, Region 1
 - Rob Willis, E-Enterprise Coordinator, Ross Strategic
- **[10:15 a.m.] Third Plenary Session**
 - Call to Order – Dick Pedersen (OR), ECOS President
 - Selection of Host State for 2016 Fall Meeting – Dick Pedersen (OR), ECOS President
 - Outgoing and Incoming ECOS Presidents' Remarks – Dick Pedersen (OR), and Bob Martineau (TN)
 - Executive Director Remarks – Alexandra Dunn
 - Call to Adjourn – Dick Pedersen (OR), ECOS President
- **[10:45 a.m.] CLOSED SESSION: ECOS Executive Committee**
Open to ECOS members and their staff and ECOS staff.
 - No EPA participants
- **[1:00 p.m.] CLOSED SESSION: E-Enterprise for the Environment Leadership Council Meeting**
Open to EELC members, state and EPA attendees interested in observing, ECOS staff, and invited guests.

<ul style="list-style-type: none"> ○ Lisa Feldt, EELC Co-Chair ○ Tom Burack (NH), EELC Co-Chair ○ Andy Battin, OCFO ○ Sheryl Rosner, Region 1 ○ David Bloom, OCFO ○ Rob Willis, Ross Strategic ○ David Hindin, OECA 	<ul style="list-style-type: none"> ○ Bharat Mathur, Region 5 ○ Mike Shapiro, OW ○ Betsy Shaw, OAR ○ Curt Spalding, Region 1 ○ Mathy Stanislaus, OSWER ○ Oscar Morales, OCSPP ○ Other state EELC members
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THURSDAY, SEPTEMBER 18

- **[8:00 a.m.] CLOSED SESSION: E-Enterprise for the Environment Leadership Council Meeting**
Open to EELC members, state and EPA attendees interested in observing, ECOS staff, and invited guests.

<ul style="list-style-type: none"> ○ Rob Willis, Ross Strategic ○ Alex Dunn, ECOS Executive Director ○ Renee Wynn, OEI ○ Henry Darwin (AZ) ○ Victoria Phillips (MA) ○ Gerald Wagner, NTC ○ Lisa Feldt, EELC Co-Chair ○ Tom Burack (NH), EELC Co-Chair ○ Andy Battin, OCFO ○ Sheryl Rosner, Region 1 ○ David Bloom, OCFO ○ Rob Willis, Ross Strategic 	<ul style="list-style-type: none"> ○ David Hindin, OECA ○ Bharat Mathur, Region 5 ○ Mike Shapiro, OW ○ Betsy Shaw, OAR ○ Curt Spalding, Region 1 ○ Mathy Stanislaus, OSWER ○ Oscar Morales, OCSPP ○ Other state EELC members
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